

**Minutes of Special and Regular Meeting of October 14, 2014**  
**One Twin Pines Lane, Belmont, CA**

**CONVENE CLOSED SESSION 6:30 P.M.**

- A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION -  
Initiation of litigation under Government Code Section 54956.9(d)(4): One case

Council Present: Wright, Braunstein, Reed, Stone, Lieberman  
Council Absent: None

**ADJOURN: 6:50 P.M.**

Terri Cook  
City Clerk

**REGULAR MEETING**

**ROLL CALL**

**Council Present: Wright, Braunstein, Reed, Stone, Lieberman**  
**Council Absent: None**

Mayor Lieberman pointed out that a fallen firefighter memorial was held this past weekend. He requested a moment of silence for Craig Hunt, a pilot under contract with Cal Fire, who was recently killed fighting a fire.

**PLEDGE OF ALLEGIANCE**

Led by Fire Captain Thrasher and members of the Belmont/San Mateo/Foster City Fire Departments.

**REPORT FROM CLOSED SESSION**

City Attorney Rennie stated there were no reportable action.

**SPECIAL PRESENTATIONS**

**Presentation by Wade Leschyn, Belmont's Appointee to the San Mateo County Mosquito and Vector Control District**

Wade Leschyn, Belmont Trustee to the District, provided a history of the formation of the District, including the expansion in 2008 to address vector as well as mosquitoes. He outlined services available to deal with mosquito and wasp abatement, as well as vector such as raccoons, skunks and opossums. He provided an update on the occurrence of West Nile Virus in the area, and tick issues at Waterdog Lake resulting in incidents of Lyme disease. He described a new issue involving raccoon roundworm.

**AGENDA AMENDMENTS**

Mayor Lieberman suggested that the item related to the reappointment to the San Mateo County Mosquito and Vector Control District be considered at this time.

## **Consideration of Resolution Reappointing Wade Leschyn to the San Mateo County Mosquito and Vector Control District**

**ACTION:** On a motion by Councilmember Braunstein, seconded by Councilmember Stone, Resolution 2014-135 Reappointing Wade Leschyn to a four-year term on the San Mateo County Mosquito and Vector Control District was unanimously approved.

## **PUBLIC COMMENTS AND ANNOUNCEMENTS**

**James Baka**, Belmont resident, commented regarding a stormwater pipe problem in the area above his street which is resulting in runoff into the creek. He described attempts to abate the situation and his interactions with City staff on this matter.

**Perry Kennan**, Belmont resident, commented regarding the lack of a local newspaper. He noted that council questions and answers on the agenda items are not made available to the public.

## **COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS**

Councilmember Stone. Fund A Need event for helping low-income seniors.

Councilmember Wright described a recent Fire Station 14 visit she made.

Mayor Lieberman made the following announcements: 1) Chamber of Commerce speaker series. 2) HIP Housing home sharing need, 3) Belmont Community Players final melodrama, 4) upcoming election, 5) general plan kickoff event.

## **COMMENTS REGARDING ITEMS ON CONSENT CALENDAR**

Councilmember Braunstein thanked Merry Moppet School for their contribution toward the maintenance of Merry Moppet Lane.

Councilmember Reed provided information regarding the Infrastructure Ad Hoc Committee's efforts that led to the recommendation of the agreement with the Lew Edwards Group for outreach to the community on the City's infrastructure needs.

Mayor Lieberman pointed out that passage of the Consent Calendar includes the cancellation of the November 11<sup>th</sup> City meeting.

## **ITEMS APPROVED ON CONSENT CALENDAR**

Waive further reading of proposed ordinances

Minutes of Special City Council Meeting (Closed Session) of September 17, 2014, Special and Regular City Council Meeting of September 23, 2014, and Regular Belmont Fire Protection District Meeting of September 23, 2014

Motion to Cancel Regular Council Meeting of November 11, 2014 (Veteran's Day)

Resolution 2014-136 Accepting a Donation from Merry Moppet School for Maintenance of Merry Moppet Lane

Resolution 2014-137 Accepting a 10-foot Wide Storm Drain Easement at 2609 and 2611 Monte Cresta Drive

Resolution 2014-138 Revising The City's Conflict Of Interest Code, Updating The Appendix Of Designated Employees And Amending The Disclosure Categories

Resolution 2014-139 Authorizing the City Manager to Execute a Service Agreement with The Lew Edwards Group for Communications Outreach and Consulting Services in an Amount Not to Exceed \$76,250 and Approving a Contingency of \$11,438

**ACTION:** On a motion by Councilmember Reed, seconded by Councilmember Braunstein, the Consent Agenda was unanimously approved.

## **HEARINGS**

### **Mitigated Negative Declaration, Rezoning to Planned Unit Development (PD), and Vesting Tentative Map for a Mixed-Use (Commercial/Residential) Development at 576-600 El Camino Real**

Community Development Director de Melo noted that this is the first mixed-use project to be proposed in Belmont in a number of years. He described the necessary entitlements, as well as the Planning Commission review and recommendation. He provided details of the project, and outlined the planned development process as well as the environmental review.

Mayor Lieberman opened the Public Hearing.

**Mark Haesloop**, on behalf of the Project Applicant, described assemblage of lots that provided a large enough space to accommodate the proposed development. He provided a history of the project. He pointed out that the current zoning code is outdated and does not provide for design standards for residential use in this zoning. He described proposed uses. He discussed the issue of affordable housing. He pointed out that all of his projects have provided for affordable units. This will be a condition of approval for the project. He addressed the issue of charging stations and noted that the two proposed are for the commercial parking areas. He pointed out that the residential garage could include additional charging spaces as governed by CC&R's (Creeds, Covenants and Restrictions).

The applicant and staff responded to Council questions regarding parking and options for uses of the retail space.

**Perry Kennan**, Belmont resident, stated that the staff report indicated no fiscal impact. He pointed out that there could be a positive impact due to increase in property taxes. Community Development Director de Melo acknowledged the additional revenues such as increased property taxes, and permit and park fees, and clarified that additional services would be provided to the new development.

Mayor Lieberman closed the Public Hearing.

Councilmember Reed stated that the Planning Commission performed its due diligence in vetting this project, which will be an improvement to the site. He explained that he is comfortable with the future detailed development phase. He expressed concerns regarding excessive tree fees. He commented regarding the need for low-income housing.

Councilmember Stone expressed concerns regarding the affordable housing component and a need for an inclusionary housing ordinance. He expressed a desire for a plan for how to use the in-lieu fees.

Councilmember Braunstein noted that he initially had concerns regarding height, which were allayed by visiting the site. He expressed support for the project.

Mayor Lieberman expressed concerns regarding the inclusion of theaters as a use-by-right.

City Attorney Rennie outlined corrections to be made in the proposed resolutions, and he pointed out that the resolutions should go into effect when the ordinance goes into effect. He also outlined a proposed change to the ordinance language.

**ACTION:** On a motion by Councilmember Reed, seconded by Councilmember Stone, and unanimously approved to 1) approve Resolution 2014-140 Approving Mitigated Negative Declaration, 2) introduce an ordinance rezoning property to PD (Planned Unit Development), amended to remove theater use as a use-by-right, and 3) Resolution 2014-141 Approving Vesting Tentative Map

## **COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS**

### **Report from Audit Committee Regarding Annual Financial Report for Fiscal Year Ending June 30, 2014**

City Treasurer Violet described review of audit report by audit committee. He outlined the independent auditor's review and findings of the annual finances, which addresses the financial health of the city. He noted a clean audit, no issues, and an unqualified opinion. He explained that the roles and responsibilities of the Audit Committee and Finance Commission were discussed. He pointed out that other cities in San Mateo County were surveyed, and none has both a finance commission and an audit committee. He also commented on the need to address capital needs.

**Perry Kennan**, Belmont resident, pointed out that this item is not a report from the audit committee but a presentation of the audit. He stated that the Finance Director should be making a presentation about the finances, and that unfunded liabilities and deferred maintenance need to be addressed.

City Treasurer Violet explained the procedure for the audit of public entities. He clarified that the City is not a publicly-traded company, and different rules apply. He further clarified that monthly financial reports and the mid-year budget review is the time when Finance Director provides updates regarding the budget. He pointed out that the City has no control over unfunded liabilities as dictated by CalPERS.

Mayor Lieberman clarified that the audit is not intended to address the budget, only to ensure the city is following appropriate procedures for financial controls.

**ACTION:** On a motion by Councilmember Braunstein, seconded by Councilmember Reed, the Annual Financial Report was unanimously accepted.

**Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments**

Councilmember Stone commented regarding 1) Council of Cities, 2) School Leadership Lunch, 3) the Caltrain Local Policy Making Group's discussion regarding electrification of Caltrain, 3) Sea Level Rise Finance Committee, 4) Library Donor Fund, and 5) a South Bay Waste Management Authority Meeting.

Councilmember Reed spoke regarding the HEART (Housing Endowment and Regional Trust) tour of a new low-income housing project in San Mateo.

Councilmember Braunstein spoke regarding a recent C/CAG meeting.

Mayor Lieberman spoke regarding Silicon Valley Clean Water Agency activities.

**Verbal Report from City Manager**

City Manager Scoles commented regarding the upcoming General Plan workshop and the general fund balance.

**MATTERS OF COUNCIL INTEREST/CLARIFICATION**

**Consideration of Resolution Regarding Clear-Cut Logging (Mayor Lieberman, as requested by the Sierra Club)**

Mayor Lieberman pointed out that the City Council does not traditionally take positions beyond those that affect Belmont directly. He noted the connection of this resolution to Belmont's value on open space. He pointed out that several cities have adopted similar resolutions.

Councilmember Stone expressed support for the proposed resolution.

Councilmember Reed stated that he is not in a position to make an informed vote on this matter and suggested it be continued.

Discussion ensued regarding the Item 13 process.

**ACTION:** On a motion by Councilmember Reed, seconded by Councilmember Stone, this matter was unanimously continued to a date uncertain.

**ADJOURNMENT** at this time, being 10:00 P.M.

Terri Cook  
City Clerk

Meeting televised and videotaped.